IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2433 OF 2004
IN
INCOME TAX APPEAL (LOD) NO.989 OF 2004

The Commissioner of Income tax ..Appellant.

V/s.

M/s.Mass Traders Pvt. Ltd. ..Respondent.

Mr.A.Kotangale for appellant.

CORAM : F.I.REBELLO AND
R.V.MORE, JJ.

DATED : 3RD JULY, 2007.

P.C. :-

The learned Counsel for the appellant produced xerox copy of affidavit of service showing service on the respondent. None present for the respondent. There is a delay of 70 days in preferring the Appeal. Shri M.N.Sangnan, Income Tax Officer has filed affidavit in support of the Notice of Motion for condonation of delay setting out the reasons as to why the Appeal was preferred beyond the period of limitation. Cause shown would amount to sufficient cause. Delay is condoned. Motion is made absolute in terms of prayer clause (a). Office to register the appeal.

(F.I.REBELL0, J.)

(R.V.MORE, J.)